

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF VIRGINIA  
LYNCHBURG DIVISION

In Re: William Richard Sutterfield, and  
Elsie Cam Sutterfield

Debtors

Case No. 15-62172  
Chapter 13

William Richard Sutterfield, and  
Elsie Cam Sutterfield Plaintiffs,

Adversary No.

v.

MWP Supply, Inc.

Defendant

ANSWER TO COMPLAINT TO AVOID JUDICIAL LIENS  
PURSUANT TO 11 U.S.C. §522(F)(1)(A)

Defendant MWP Supply, Inc. (“MWP”), by and through counsel, files the following Answer to Complaint to Avoid Judicial Liens Pursuant to 11 U.S.C. §522(F)(1)(A) filed by William Richard Sutterfield and Elsie Cam Sutterfield (collectively, the “Plaintiffs” and sometimes “Debtors”) and states as follows:

1. MWP admits the allegations contained in Paragraph 1.
2. MWP admits the allegations contained in Paragraph 2.
3. MWP lacks sufficient knowledge to admit or deny the allegations contained in Paragraph 3 and, therefore, demands strict proof thereof.
4. MWP lacks sufficient knowledge to admit or deny the allegations contained in Paragraph 4 and, therefore, demands strict proof thereof.
5. Paragraph 5 states a legal conclusion to which no response is needed.
6. MWP admits the allegations contained in Paragraph 6.
7. Paragraph 7 cites the Bankruptcy Code and states a legal conclusion to which no response is needed.

8. MWP lacks sufficient knowledge to admit or deny the allegations contained in Paragraph 8 and, therefore, demands strict proof thereof.

9. In response to Paragraph 9, MWP denies that the requested cram-down value of its lien is appropriate because it appears that the Property may be worth more than the tax assessed value. Upon information and belief, the subject Property was previously listed for sale at a value of \$299,000. In the event the Court grants the Debtors' request for a cram-down of the value of its lien, MWP respectfully asserts that it should only be allowed if the Debtors' successfully complete their Chapter 13 Plan.

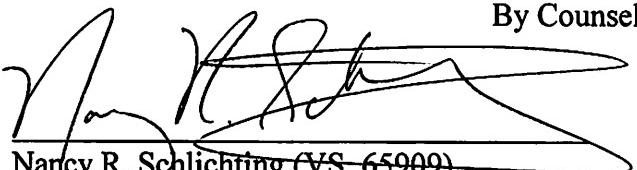
10. MWP respectfully reserves the right to object to the sale of the Property before the Plan is completed if the sales price is greater than \$266,000.

11. All allegations not previously admitted are denied.

WHEREFORE, MWP Supply, Inc. respectfully requests that this Court find that the Property's value is at least \$299,000, that MWP's lien be reduced to \$58,000 only after Debtors' successful completion of their Chapter 13 Plan, and grant such other and further relief as this Court deems just and proper.

Respectfully submitted this 8<sup>th</sup> day of February, 2016.

MWP SUPPLY, INC.  
By Counsel



Nancy R. Schlichting (VS. 65909)

of Lenhart Pettit PC

530 E. Main Street

P. O. Box 2057

Charlottesville, VA 22902

(434) 220-6108

(434) 977-5109 FAX

[nrs@lplaw.com](mailto:nrs@lplaw.com)

Counsel for MWP Supply, Inc.

**CERTIFICATE**

I hereby certify that I electronically filed this pleading this 8<sup>th</sup> day of February, 2016, and mailed copies to:

Melvin Burros  
Miller Law Group, P.C.  
1160 Pepsi Place, Suite 341  
Charlottesville, VA 22901



*M. Burros*

*Counsel for MWP Supply, Inc.*